

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Michael J. Buchenhorner on October 9, 2008.
3. The application has been amended as follows:  
Cancel claim 22.
4. The Examiner's Amendment has been made in order to eliminate the claim lacking novelty, and place this application in condition for allowance.

***Remarks regarding prior art***

5. The Examiner would like to note that the US Patent No. 7171407 disclosing very similar subject matter to the one claimed in the current application has been considered, however clearly both applications 10/264,076 (now patent 7171407) and 10/752,624 (current application) were commonly owned by IBM Corp. at the time the current application has been filed. Hence 35 U.S.C. 102(e) rejection would not be proper in this situation.

***Allowable Subject Matter***

6. Claims 1, 2, 4, 8-11, 13, 15, 16, 19 and 20 are allowed.

7. The following is an examiner's statement of reasons for allowance:
8. With respect to claims 1 and 11, the prior art fails to teach a system and a method for processing an XML document wherein XPath expression (i.e. query) relative to the context node being evaluated by producing a modified X-DAG of the at least a portion of the XML document, wherein modified X-DAG is a graph representation of the at least a portion of the XML document generated from the XPath expression, representing the XPath expression and its constraints; and wherein the modified X-DAG comprises a "ctxt" node that only matches the context node; and wherein the modified X-DAG converts backwards constraints into forward constraints and further modifying the search criteria in the query to introduce constraints relative to the "ctxt" node in to the set of constraints.
9. With respect to claims 2, 4, 8-10, 13, 15, 16, 19 and 20 are allowed by the virtue of their dependency on claims 1 and 11 respectively.
10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***The Pertinent Prior Art***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

12. - Calahan (US Publication No. 2007/0156750) discloses a method for processing an XML document wherein XPath can identify portion of a document which can be traversed forward and backwards. This prior art however fails to teach evaluating the relative XPath expression ... by producing a modified X-DAG, wherein modified X-DAG comprises a "ctxt" node that only matches the context node; and wherein the modified X-DAG converts backwards constraints into forward constraints, and then modifying search criteria as to introduce constraints relative to the "ctxt" node.

#### ***Inquiry***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANGELA M. LIE whose telephone number is (571)272-8445. The examiner can normally be reached on M-F.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Angela M Lie/  
Examiner, Art Unit 2163

/don wong/

Supervisory Patent Examiner, Art Unit 2163